

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent No.:	7,727,255 B2
Applicants:	Taylor <i>et al.</i>
Issued:	June 1, 2010
Application No.	10/776,387
Filed:	February 10, 2004
Docket No.:	AUS-2265-AL
Art Unit:	3731
Examiner:	Nguyen, Tuan Van
Confirmation No:	3912
Customer No.:	21378

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Attn: Certificate of Correction Branch

REQUEST FOR A CERTIFICATE OF CORRECTION UNDER 37 C.F.R. 1.322

Dear Sir:

Inventors request issuance of a Certificate of Correction under 35 U.S.C. § 254. As explained below, the error is a Patent and Trademark Office mistake, and as such, no fee is due.

In the Notice of Allowability, the Examiner acknowledged that the application was based on PCT/US02/15696, filed May 14, 2002 and U.S. Provisional Application No. 60/312,683, filed August 14, 2001. In order to comply with 37 C.F.R. 1.63(c), the Examiner stated, "A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date." Notice of Allowability at 2 (Jan. 11, 2010).


In response, Applicants filed a Declaration and Application Data Sheet on April 12, 2010, copies of which are attached. The "Domestic Benefit/National Stage Information" portion of the Application Data Sheet provides that the present

U.S. Patent No. 7,727,255 B2
Request for Certificate of Correction
Paper filed August 17, 2010

application is the National Phase application under 35 U.S.C. § 371 of International Application No. PCT/US02/15696, filed May 14, 2002; and claims the benefit under 35 U.S.C. § 119(e) of U.S. Application No. 60/312683, filed August 14, 2001. Consequently, the priority claim has been perfected, and Inventors are entitled to the requested Certificate of Correction.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 01-2215.

Respectfully submitted,
APPLIED MEDICAL RESOURCES

BY 

Pui Tong Ho
Registration No. 44,155
Telephone: (949) 713-8383

 **COPY**

PTO/SB/01A (04-07)

Approved for use through 04/30/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of
Invention

ACCESS SEALING APPARATUS AND METHOD

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No 10/776,387 filed on February 10, 2004
☐ As amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

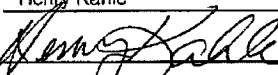
All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Scott V. Taylor

Signature:  Citizen of: US

Inventor two: Henry Kahle

Signature:  Citizen of: US

☐ Additional inventor(s) or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	AUS-2265-AL
		Application Number	
Title of Invention	ACCESS SEALING APPARATUS AND METHOD		
<p>The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.</p> <p>This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.</p>			

Secrecy Order 37 CFR 5.2

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Applicant Information:

Applicant 1					
Applicant Authority <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Scott	V	Taylor		
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	Mission Viejo	State/Province	CA	Country of Residence	US
Citizenship under 37 CFR 1.41(b)		US			
Mailing Address of Applicant:					
Address 1		27851 Encanto			
Address 2					
City	Mission Viejo	State/Province	CA		
Postal Code	92692	Country	US		
Applicant 2					
Applicant Authority <input checked="" type="radio"/> Inventor		<input type="radio"/> Legal Representative under 35 U.S.C. 117		<input type="radio"/> Party of Interest under 35 U.S.C. 118	
Prefix	Given Name	Middle Name	Family Name	Suffix	
	Henry		Kahle		
Residence Information (Select One) <input checked="" type="radio"/> US Residency <input type="radio"/> Non US Residency <input type="radio"/> Active US Military Service					
City	Trabuco Canyon	State/Province	CA	Country of Residence	US
Citizenship under 37 CFR 1.41(b)		US			
Mailing Address of Applicant:					
Address 1		25 Wrangler Court			
Address 2					
City	Trabuco Canyon	State/Province	CA		
Postal Code	92679	Country	US		
<p>All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the Add button.</p> <div style="text-align: right;"><input type="button" value="Add"/></div>					

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ An Address is being provided for the correspondence information of this application.

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	AUS-2265-AL
		Application Number	
Title of Invention	ACCESS SEALING APPARATUS AND METHOD		
Customer Number	21378		
Email Address		<input type="button" value="Add Email"/>	<input type="button" value="Remove Email"/>

Application Information:

Title of the Invention	ACCESS SEALING APPARATUS AND METHOD		
Attorney Docket Number	AUS-2265-AL	Small Entity Status Claimed	<input type="checkbox"/>
Application Type	Nonprovisional		
Subject Matter	Utility		
Suggested Class (if any)		Sub Class (if any)	
Suggested Technology Center (if any)			
Total Number of Drawing Sheets (if any)	19	Suggested Figure for Publication (if any)	

Publication Information:

<input type="checkbox"/>	Request Early Publication (Fee required at time of Request 37 CFR 1.219)
<input type="checkbox"/>	Request Not to Publish. I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32). Enter either Customer Number or complete the Representative Name section below. If both sections are completed the Customer Number will be used for the Representative Information during processing.			
Please Select One:	<input checked="" type="radio"/> Customer Number	<input type="radio"/> US Patent Practitioner	<input type="radio"/> Limited Recognition (37 CFR 11.9)
Customer Number	21378		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, or 365(c) or indicate National Stage entry from a PCT application. Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78(a)(2) or CFR 1.78(a)(4), and need not otherwise be made part of the specification.			
Prior Application Status	Expired	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
10776387	a 371 of international	PCT/US02/15696	2002-05-14
Prior Application Status	Expired	<input type="button" value="Remove"/>	
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)
PCT/US02/15696	non provisional of	60312683	2001-08-14

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Application Data Sheet 37 CFR 1.76		Attorney Docket Number	AUS-2265-AL
		Application Number	
Title of Invention	ACCESS SEALING APPARATUS AND METHOD		

Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button

Foreign Priority Information:

This section allows for the applicant to claim benefit of foreign priority and to identify any prior foreign application for which priority is not claimed. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55(a).

[Remove](#)

Application Number	Country ¹	Parent Filing Date (YYYY-MM-DD)	Priority Claimed
			<input checked="" type="radio"/> Yes <input type="radio"/> No

Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.

Assignee Information:

Providing this information in the application data sheet does not substitute for compliance with any requirement of part 3 of Title 37 of the CFR to have an assignment recorded in the Office.

Assignee 1

If the Assignee is an Organization check here ☒

Organization Name Applied Medical Resources Corporation

Mailing Address Information:

Address 1 22872 Avenida Empresa

Address 2

City Rancho Santa Margarita

State/Province CA

Country¹ US

Postal Code 92688

Phone Number 949-713-8000

Fax Number 949-713-8206

Email Address

Additional Assignee Data may be generated within this form by selecting the **Add** button.

Signature:

A signature of the applicant or representative is required in accordance with 37 CFR 1.33 and 10.18. Please see 37 CFR 1.4(d) for the form of the signature.

Signature	/PTH/	Date (YYYY-MM-DD)	2010-04-12
First Name	Pui Tong	Last Name	Ho
Registration Number		44155	

 COPY

Application Data Sheet 37 CFR 1.76		Attorney Docket Number	AUS-2265-AL
		Application Number	
Title of Invention	ACCESS SEALING APPARATUS AND METHOD		

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,727,255 B2
APPLICATION NO.: 10/776,387
ISSUE DATE : June 1, 2010
INVENTOR(S) : Scott V. Taylor, Henry Kahle

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page:

Field code (22): Replace "Filed: Feb. 10, 2004" with
-- PCT Filed: May 14, 2002 --

Add field -- (86) PCT No.: PCT/US02/15696 --
-- § 371 (c)(1), (2), (4) Date: Feb. 10, 2004 --

Add field -- (87) PCT Pub. No: WO 2003/015848 A1 --
-- PCT Publication Date: Feb. 27, 2003 --

Add -- Related U.S. Application Data --

Add field -- (60) Provisional application No. 60/312683, filed Aug. 14, 2001. --

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Applied Medical Resources Corporation
22872 Avenida Empresa
Rancho Santa Margarita, CA 92672

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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